

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

PETER J. TOALE )  
                  )  
                  )  
v.               ) NO. 3-10-0212  
                  ) JUDGE CAMPBELL  
THE CHEESECAKE FACTORY, INC. )  
and MARK POOR    )

ORDER

Pending before the Court is a Report and Recommendation of the Magistrate Judge (Docket No. 26), to which no Objections have been filed. The Court has reviewed the Report and Recommendation and the file. The Report and Recommendation is adopted and approved.

Accordingly, Defendants' Motion to Dismiss (Docket No. 18) is GRANTED, and this action is DISMISSED. Any other pending Motions are denied as moot, and the Clerk is directed to close the file. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.

Todd Campbell  
TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE